

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: SB 199 SLS 12RS 639

Bill Text Version: ENGROSSED

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 11, 2012	7:16 AM	Author: KOSTELKA
Dept./Agy.: Corrections		
Subject: Illegal Transmission of Monetary Funds		Analyst: Matthew LaBruyere

CRIME/PUNISHMENT EG INCREASE GF EX See Note Page 1 of 1
Creates the crime of illegal transmission of monetary funds.(gov sig)

Proposed legislation creates the crime of illegal transmission of monetary funds, which is defined as transmitting, attempting to transmit, causing to be transmitted, soliciting a transmission, or receiving a transmission, with the intent to defraud, by wire or radio signal, any stolen or fraudulently obtained monetary funds.
Proposed legislation provides that whoever is convicted of the crime of illegal transmission of monetary funds is to be imprisoned, with or without hard labor, for not more than 10 years, or fined not more than \$100,000, or both.
Proposed legislation provides that a person convicted of illegal transmission of monetary funds is to be ordered to make full restitution to the victim and to any other person who has suffered a financial loss as a result of the offense. Proposed law further provides that if the person ordered to make restitution is found to be indigent and therefore unable to make restitution in full at the time of conviction, then the court is to order a periodic payment plan consistent with the person's financial ability.

EXPENDITURES	2012-13	2013-14	2014-15	2015-16	2016-17	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total						

REVENUES	2012-13	2013-14	2014-15	2015-16	2016-17	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

EXPENDITURE EXPLANATION
The proposed legislation may result in an indeterminable increase in state general fund expenditures if a defendant is convicted of illegal transmission of monetary funds. The exact fiscal impact of the passage of this legislation is indeterminable, since the legislation creates a new crime and it is not known how many individuals will be convicted of this crime. However, any offender sentenced to the custody of the Department of Public Safety and Corrections increases expenditures by \$24.39 per day per offender in local facilities. To the extent that offenders are sentenced and housed in state facilities, the cost per day per offender is \$50.75. Currently, the Department of Corrections houses 50% of state offenders at the local level and 50% at the state level.
To the extent an offender serves at least 1 year, the cost in a local facility would be \$8,902 (1 offender x \$24.39 per day x 365 days) and the cost in a state facility would be \$18,524 (1 offender x \$50.75 per day x 365 days). To the extent the offender served the maximum of 10 years, the cost in a local facility would be \$89,020 (1 offender x \$8,902 per year x 10 years) and the cost in a state facility would be \$185,240 (1 offender x \$18,524 per year x 10 years).

REVENUE EXPLANATION
There is no anticipated direct material effect on state revenues as a result of this measure. However, any revenue generated through the imposition of fines as a result of conviction would accrue to local government entities.